24

A True Account OF THE TRYAL OF

Mrs. Mary Carlton,

commonly called by the name of the German princess

AT

The Sessions in the *Old-Bayly*,
Thursday the 4th of *June*, 1663.

She being Indicted by the Name of
MARY MAUDERS alias *STEDMAN*.

Published for Her Vindication, at Her own Request.

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The Tryal of Mris. *Mary Carlton*, ſhe being Indicted by the name of *Mary Mauders*, alias *Stedman*.

Wedneſday the 3d. of *June*, Mr. *George Carlton* being bound to proſecute his Son's Wife, Mris. *Mary Carlton*, his Daughter in Law, She was ſent for from the *Gate-Houſe* at *Weſtminſter*, where ſhe was kept a priſoner, before the Bench at the Seſſions in the Old-Baily: The Priſoner being ſurprized as to time, not knowing of the Pleaſure of the Bench, one hour before her being ſent for, ſhe moved for Time that ſhe might conſider of her Defence, and provide her ſelf of ſuch Witneſſes as ſhe ſhould produce, by all which, ſhe doubted not but ſhe ſhould avoid the Envious and Malitious Proſecution of her Adverſaries; who made her a Malefactor by their Contrivances; not by any Act or Thing that ſhe had done or Committed.

Upon her Modeſt and well-expreſſed Motion, the Court Ordered her Appearance on the next Day at 9. of the Clock in the Morning, being *Thurſday* the 4th of *June*. And ſhe was Committed to the Cuſtody of the Keeper of *New-Gate*, where with Reſpect ſhe was Civilly Treated, and her New Reſidence was Frequented with divers Perſons of Quality of both Sexes.

Thurſday, at 9. of the Clock in the Morning, She was brought by her Keeper to the Barr, and Silence being made, the Jury was Sworn, and the Witneſſes were called, *viz. James Nots Sarah Williams*, Mr. *George Carlton* the Elder. The

Court with great Patience ſtaid the proſecution above an hour and a half, in regard Mr. *George Carlton* alledged he was not ready with his Witneſſes. After which, the Court proceeded, and acquainted Mr. *Carlton*, That they were not bound to ſtay ſo long as they had already; but he was bound to be provided to proſecute.

The Indictment was Read, which was to this Effect; That ſhe had at ſeveral times married ſeveral perſons that were now living; That ſhe had married in St. *Meldreds* Pariſh in *Canterbury* ſome years laſt paſt, one *Thomas Stedman*, a Shoe-maker now living; And that in *April* laſt paſt ſhe had Feloniouſly married one *John Carlton*, againſt the Statute in that Caſe made and provided.

James Nott was ſworn, and ſaid, That the Priſoner was married in the place aforeſaid, unto one *Thomas Stedman*, and who is now alive, and would have come up, if he had had Money to have born his Charges; and that he gave her in Marriage: That ſhe was born at *Canterbury*, and that her Father in Law his Name was *Richard Foord*.

He being asked, If he knew her own Father and Mother; He ſaid, No. And further ſaid, That it was about a Week or a Fortnight before the Act for Marriages by Juſtices of the Peace was put in Execution.

The Lord Chief Juſtice ask't *Nott*, What were the words uſed in the Marriage? He anſwered, *That he was ſo young, that he could not remember that.*

William Clark Sworn,

Said, That there was an Indictment againſt her at *Dover*, for marrying of one *Day*, after *Stedman*, and that ſhe was proſecuted by *Stedman*, of which ſhe was cleared.

Mr. *George Carlton* the Elder being ſworn, gave in Evidence, That he ſaw her Husband at *Dover*. Being asked, *Whether he knew him to be her Husband?* He anſwered, That he could not ſwear it.

James Nott gave further Evidence, *That ſhe had two Children by* Stedman.

Mr. *George Carlton* the Elder being askt, If he had any thing further to ſay, acquainted the Court, That he had ſearcht the Regiſter-

Register-Book of the Parish Church of St. *Meldreds*, *Canterbury*, but could not find any such Marriage Registred. And further said, *That the present Parson of the Parish did tell him, That the Clerk of the said Place was often guilty of neglect in that kind.*

Mr. *George Carlton* the younger being Sworn, said, That the Prisoner at the Barr was married unto his Brother, *John Carlton*, in *April* last, in Great St. *Bartholomews*.

Mr. *Smith*, the Parson that married them there, gave in Evidence, That he married Mr. *John Carlton* and the Prisoner at the Barr in *April* last, by the Book of *Common-Prayer*, and had a Licence produced to him for his Warrant; the Prisoner craving leave to speak, said, She acknowledged that she was married to Mr. *Carlton*, at the time, and in the manner as is before expressed; therefore they might save themselves the Labour, and the Honourable Bench the trouble of further Proof in that Case.

Mr. *George Carlton* the elder being askt, If he had any other Evidence to offer, answered, That he had more Witnesses to prove the Prisoner being married to other persons. The Bench Replyed, That there could be nothing given in Evidence that was contained in the Indictment: The Court askt *Nott*, Who were with him besides at the Wedding he mentioned in his Evidence; he said, That there was Mr. *Man*, the Parson that married them, the Sexton, the Prisoners Sister, and himself that Gave her.

Some of the Jury desired the Court to ask *Nott*, How old he was now: he answered, That he was one or two and thirty years of Age. Mr. *Carlton* being ask, If he had any more Witnesses, answered, No.

The Prisoner standing all this while at the Barre, not once interrupting or disturbing the Evidence of the other side, the Court calling upon her to make her defence, she without any sign of a disturbed thought, or the resemblance of an unquiet mind, did in a most excellent deliberate composed manner, address her self to the Bench in this sort:

My Lord, *In the first place, I do with all due respect and submission, humbly beseech your Lordship, and this Honourable* Bench, *not to impute any thing that I shall say to confidence, but rather to the necessity that lyeth upon me, to make my defence for my life. A thing that will sufficiently oblige any to make the best defence they can: but that doth not weigh so much with me, as that which is every whit as dear to me as my life.*

My

My Lord, *It is my Reputation and my innocency, that incourageth me to ſpeak before your Lordſhip at this time, and it is that which produceth confidence in me, that as I am innocent of the thing urged upon me by them, the Juſtice and Reaſon of you before whom I ſtand, by the which I hope to be acquitted and rendred to the World what I am, not what my proſecutors would have the World to believe me to be.* My Lord, *I ſhall not trouble you with any thing impertinent, nor with any things that related to theſe affaires more then needs I muſt: therefore my Lord, I do humbly acquaint your Lordſhip, that old Mr.* Carlton *did rather deſign upon me, then I upon him, to ſay nothing of what paſſed before I was married to his Son, of which there was enough to demonſtrate that evidently, ſo ſoon as I was married to his Son, he deſired me to make over my Eſtate to his Son, to ſatisfie the World that was ſomewhat amuſed and in doubt of what it ſeems they had ſpread abroad for their own Reputation: I anſwered him,* Sir, *I ſhall not diſ-inveſt my ſelf of my Eſtate, untill I die.*

Mr. Carlton intercepted my Letters, by that underſtood how my Eſtate did lie, that he had that expectation of what I had, is farther evident; for his Son came to me, pretending to be a perſon of Honour and great quality, and the better to accomodate himſelf in his application to me, he borrowed his Brother *Georges* Cloak, it is the ſame he hath on his back in Court before your Lordſhip; and if any be deceived, I am.

My Lord, If that they could but have been inſured that I had been the perſon as to Eſtate, that they imagined me to be, your Lordſhip ſhould not have been troubled at this time, in theſe matters, if I underſtand them aright, they would have been contented to have practiſed concealment, in caſe I had had more then one *Husband*. Inſtead of this defamation that I am loaded with, my Lord, my crime is, that I have not an Eſtate, or at leaſt ſuch a one as they imagined it to be; therefore my Lord, I ſay, I am brought at this time to this place; And therefore, my Lord, were my Jewels ſeized to defray the Charge of their expenſive courting of me. To colour what they have done, they fix the Offences of ſome Woman of *Canterbury*, a perſon that may be dead, or gone out of the Land for ought I know, upon me: the place I know not, a place that I am a ſtranger unto; if that had not bin ſo, they have had time enough ſince my firſt Commitment to have produced

produced more Evidence then any that hath as yet been urged before Your Lordſhip: My Lord, They brand me for marrying of a Shoo-maker, and another ſad piece of Mortality, a Brick-layer. My Lord, My Soul abhorreth ſuch a thought, and never was accommodated with ſuch Condiſcention, to move in ſo low an Orb. My Lord, by all that I can obſerve of the Perſons that appear againſt me, they may be divided into two ſorts; the one of them come againſt me for want of Wit, the other for want of Mony.

That Mony hath been proffered to ſubborn ſome againſt me, I have Witneſs to prove.

Beſides, my Lord, I know not what priſons or deſpicable places they have Rak'd for Witneſſes: ſome of the Witneſſes I am ſure, their Preſence and Aſpect rendreth them to be ſome ſuch perſons. My Lord, When old Mr. *Carlton* ſaw that he could not obtain his End of me, he threatned me with a Juſtice, and a Priſon; and the Juſtice bound him over to proſecute me; he muſt make the beſt of it, and therefore it is no wonder that he repaireth to ſuch means and Inſtruments to effect my Ruine.

My Lord, I deſire that my Witneſſes may be called.

Margaret Win ſaid,

That ſhe coming to the *Gate-Houſe* to ſee her husband, being a Priſoner there for Debt, one pretended that he came to ſee his Wife there, named *Mary Mauders*. Upon that, ſhe took upon her to perſonate the ſaid Perſon he asked for: He ſaid, *I, 'tis true, thou art that unhappy Woman that I married.* The which perſon ſhe never ſaw before in her life.

Mr. *Ed. Bayly*, Deputy-Keeper of the *Gate-Houſe*, ſaith, That he hath heard 40 People, at the leaſt, of *Canterbury*, ancient Livers and Inhabitants there, ſay, That the Priſoner at the Barr they never knew, nor did ever ſee her, before they came to ſee her in the *Gate-Houſe*, upon the Fame that was ſpread abroad of her being born at *Canterbury*, and her having acted ſuch a part at *Canterbury*.

The Lord Chief Juſtice was pleaſed to ask the Priſoner, *Where ſhe was Born?* She anſwered, *In Germany*. He ask'd her, *Where?* She ſaid, *At Colen.*

Mr. *Clark* was askt by the Court, *Whether he could prove, or ſwear, That the Priſoner at the Barr were the* Mary Mauders *that was Tryed at*

at Dover? He answered, That he could not, neither prove it, nor swear it himself; for he was a stranger to the whole Business.

The Prisoner perceiving the sleight Evidence, and that she needed not either to say more, or offer more evidence in her behalf, submitted her Cause to the Bench and Jury.

Upon her being askt by the Bench, *If she had more to say*; She Replyed, *No.*

The Court gave Instructions to the Jury as followeth:

First, The Indictment was Briefly recited.

And as to the Evidence, the Court observed, That there was but one Witness to prove the Indictment, and that he could not remember the manner of Marriage, nor the words used there.

And if that she had been Married, and had two Children, and that the Jury shall believe that Single Evidence, That he hath sworn aright, she is to dye.

You have, Gentlemen of the Jury, heard of a Tryall against her, for having had Two Husbands before, one Stedman, *and* Day, *at one time, and that from a Jury-Man that was upon the Jury at the same Tryall; yet he cannot swear, That this is the Woman.*

The Jury went forth, and continued absent a quarter of an hour: Upon their Return, and Silence being made, the Jury being called over, they were askt as the Custom is, *Who should say for them?* They answered, *The Fore-Man.*

The Court askt, *Whether they found the Prisoner Guilty, or not Guilty?*

The Fore-Man answered, *Not Guilty.* Upon which, there was a Great Shout of the People.

The Prisoner after Silence being made, moved the Court, That they would Order the Restoration of her Jewels. They answered, *That she had Owned Mr.* Carlton *for her Husband, he must sue for them, if Old Mr.* Carlton *shall deny the delivery of them.*

FINIS.